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September 23, 2021

MEMO ENDORSED:

The application is granted. The conference currently scheduled for October 7, 2021 is adjourned to **October 28, 2021 at 10:00 a.m.**

**Via ECF**

Honorable Paul G. Gardephe  
United States District Judge  
United States District Court  
Southern District of New York

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe".

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Paul G. Gardephe  
United States District Judge  
September 27, 2021

**Re: *MedQuest, Ltd. v. Rosa et al.*, 21-cv-5307 (PGG)**  
**Joint Letter, On Consent, Requesting Adjournment of Initial Conference**

Your Honor:

This firm represents Christine Rosa, Carolyn Fink, and Trimeritus Group LLC (collectively, "**Defendants**") in the above-referenced action. I write on behalf of all parties to respectfully request that the initial conference, currently scheduled for October 7, be adjourned pending the Court's decision regarding Defendants' request for permission to file a Rule 12(b)(6) motion to dismiss the Amended Complaint.

This is the parties' first request to adjourn the initial conference. It is submitted on consent.

The reason for this request is because it will be challenging for counsel to conduct a substantive meet-and-confer and to draft a proposed case management plan unless and until Defendants have filed, and Plaintiff has had an opportunity to review, Defendants' answer, including any counterclaims. Pursuant to the Court's individual rules (IV.A), "submission of a pre-motion letter concerning a motion to dismiss will stay the defendant's time to answer or otherwise move with respect to the complaint." Defendants submitted such a letter on August 17, 2021.<sup>1</sup>

On behalf of all parties, I thank the Court for its consideration.

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<sup>1</sup> Defendants filed a pre-motion letter on August 17, 2021 (Docket No. 17). Plaintiff filed a letter in opposition on August 23 (Docket No. 20). Defendants filed a reply letter on August 27 (Docket No. 23). Plaintiff filed a sur-reply letter on August 30 (Docket No. 24). Defendants requested permission to file a response to Plaintiff's sur-reply letter on August 30 (Docket No. 25).



Respectfully submitted,

**AY STRAUSS LLC**

By: /s/ *Joseph H. Harris*

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*Attorneys for Defendants*

cc: **Via ECF**

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*Attorneys for Plaintiff*